

JANE FISHER-BYRIALSEN  
Fisher & Byrialsen, PC  
4600 S. Syracuse Street  
Denver, CO 80137  
[jane@fblaw.org](mailto:jane@fblaw.org)

Attorney for:  
FRANCIS CLEMENT

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**FRANCIS CLEMENT,**

Defendant.

Criminal case No. 20-CR-238-JLT-SKO

**NOTICE RE REPLY – RE  
RENEWED MOTION FOR ORDER  
RE SPECIFIC DISCOVERY [Doc. 633]**

Mr. Francis Clement, by and through undersigned counsel Jane Fisher-Byrialsen, hereby notifies this Court that Mr. Clement relies upon this Court's Order of July 28, 2023 and assumes that the Defense Reply will be due after the Government's Supplemental obligation. Mr. Clement states:

1. On May 15, 2023, Defendant Francis Clement filed a "Renewed Motion for Order re Specific Discovery." (Doc. [633].)
2. On July 19, 2023, the Government filed its Opposition. (Doc. [718].)
3. On July 28, 2023, Magistrate Judge Sheila K. Oberto entered a Minute Order regarding the Government's Response, finding that "the Government's Opposition consists of a discussion of the rules of criminal discovery and does not address each specific request by the Defendant." (Doc. [721]). The Court ordered the Government "to file a Supplemental Opposition

1 by no later than August 4, 2023, addressing EACH of the 25 specific requests by the Defendant.”  
2 (*Ibid.*)

3 4. While this Court did not address the Reply deadline, it is apparent that Mr.  
4 Clement need not Reply until after receipt of the Government’s Supplemental Opposition.

5 5. In an abundance of caution, Mr. Clement files this notice that he intends to Reply  
6 and, pursuant to the Court’s Order of July 28, 2023, will wait until receipt of the Government’s  
7 Supplemental Opposition.

8  
9 Respectfully submitted,

10 s/Jane Fisher-Byrialsen  
11 Jane Fisher-Byrialsen, #49133  
12 FISHER & BYRIALSEN, PLLC  
13 4600 S. Syracuse Street, 9<sup>th</sup> Floor  
14 Denver, CO 80237  
(303) 256-6345  
[jane@fblaw.org](mailto:jane@fblaw.org)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 2<sup>nd</sup> day August, 2023, I served a true and correct copy of the foregoing via ECF to:

All counsel of record.

s/Jane Fisher-Byrialsen

Jane Fisher-Byrialsen